

**SPECIAL MEETING MINUTES
AUGUST 5, 2024
MAYOR AND BOROUGH COUNCIL
MEETING NO. 14**

A special meeting of the Mayor and Council of the Borough of South River, in the County of Middlesex and the State of New Jersey was held on August 5, 2024, and was called to order by Mayor Guindi at 7:00 PM with the following Council Members in Attendance:

Mayor and Council Roll Call	Present	Absent	Excused Tardy
<i>Mayor Peter S. Guindi</i>	X		
<i>Councilwoman Donna Balazs</i>	X		
<i>Councilman Anthony Ciulla</i>	X		
<i>Councilman Hank Dziemian</i>	X		
<i>Councilman James Gurchensky</i>	X		
<i>Councilman John Krenzel</i>	X		

Also attending this meeting were Business Administrator Arthur Londensky, Deputy Chief of Police John McKenna, DPW Director Adriano Soares, Borough Attorney Andrea Wyatt, and Borough Engineer Bruce Koch.

IN COMPLIANCE WITH CHAPTER 231 OF PUBLIC LAW OF 1975, NOTICE OF THIS SPECIAL MEETING TO BE HELD AT THE CRIMINAL JUSTICE BUILDING, 61 MAIN STREET, SOUTH RIVER HAS BEEN PUBLISHED IN THE HOME NEWS TRIBUNE ON JULY 10, 2024, POSTED ON THE MUNICIPAL BUILDING BULLETIN BOARD, THE BOROUGH WEBSITE, THE FRONT DOOR OF THE CRIMINAL JUSTICE BUILDING AT 61 MAIN STREET, SOUTH RIVER.

SALUTE TO THE FLAG AND MOMENT OF SILENCE

Mayor Guindi lead the salute to the Flag and a moment of silence.

Resolution 2024-248 Appointment for Vacant Council Seat

Councilman Ciulla made a motion to appoint Matthew DeSantis to the Vacant Council seat, seconded by Councilwoman Balazs.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Councilman Krenzel</i>			X			

Mayor Guindi administers the Oath of Office to Councilman Matthew DeSantis.

Councilman DeSantis thanks the council for voting for him and hopes to bring changes to South River.

EXECUTIVE SESSION

2024-249 **WHEREAS**, Section 8 of Chapter 231, Public Law 1975 permits the exclusion of the general public from a meeting of the Governing Body under certain circumstances; and

WHEREAS, the Mayor and Council of the Borough of South River are of the opinion such circumstances presently exist.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River in the County of Middlesex of the State of New Jersey, that the public be excluded upon the hereinafter specific subject matter and that such subject matter to be so discussed is as follows:

- Contract Negotiations

BE IT FURTHER RESOLVED that such record of the above discussion will be made public when confidentiality is no longer required. The Borough Council of the Borough of South River may or may not take formal action at the conclusion of the Executive Session.

Adjourn to Executive Session at 7:05 pm

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Ciulla</i>			X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>	X		X			
<i>Council President Krenzel</i>			X			

Reconvene to Public Session at 7:22 pm

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>		X	X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>	X		X			

PROCLAMATIONS, HONOR, AWARDS & PRESENTATIONS

- None

AGENDA SESSION

- Speed Humps – Deputy Chief McKenna speaks on new legislation regarding Speed Humps and possibly implementing them in South River.
- Dispensaries- An attorney and forensic accountant speak on the benefits of having dispensaries in South River.
- First Reading Ordinances – Borough Attorney Andrea Wyatt explains the first reading ordinances on the agenda.

ORDINANCE– SECOND READING & PUBLIC HEARING

ORDINANCE 2024 –31

**AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, AUTHORIZING A NONBINDING REFERENDUM QUESTION**

**BE PLACED ON THE GENERAL ELECTION BALLOT FOR 2024 RELATIVE TO
ESTABLISHING A JOINT LAND USE BOARD**

WHEREAS, the Borough Council of the Borough of South River is authorized pursuant to N.J.S.A. 19:13-1 to submit a question or policy concerning municipal government to the voters in the municipality at a general election to ascertain the sentiment of the legal voters on the question or policy; and

WHEREAS, the results of the election are non-binding on the Borough but may be followed by the governing body in its discretion; and

WHEREAS, the Municipal Land Use Law, at N.J.S.A. 40:55D-25c(2) provides that any municipality with a population in excess of 15,000 may establish a consolidated land use board by voter referendum; and

WHEREAS, the Mayor and Council of the Borough of South River considered the feasibility of establishing a joint land use board for the Borough of South River and believes it be in the best interest of the Borough to consolidate the land use boards; and.

WHEREAS, the Mayor and Council of the Borough of South River have determined that it would be in the public interest to place a non-binding referendum question on the November 5, 2024 general election ballot.

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex, and State of New Jersey, as follows:

SECTION 1. The Clerk of the County of Middlesex is hereby requested to print upon the official ballots to be used at the November 5, 2024 general election the following question:

Shall the Borough Code of the Borough of South River be amended to create a Joint Land Use Board?

SECTION 2. The Clerk of the County of Middlesex is hereby requested to print upon the official ballots to be used at the November 5, 2024 general election the following Interpretative Statement:

This question asks the voter to decide whether the Borough of South River should amend the Code to dissolve the Zoning Board of Adjustment and permit the Planning Board to exercise all of the powers and duties of a zoning board of adjustment, in addition to the duties of the planning board. This creates a joint land use board and provides for a single board, professionals and staff for all planning and zoning applications within the Borough.

A “yes” vote will result in the adoption of the ordinance amending the Borough Code to establish the joint land use board in accordance with the statutes of the State of New Jersey.

SECTION 3. That a copy of this ordinance shall be filed with the Clerk of the Middlesex County.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

Council President Krenznel motioned to waive the full reading; seconded by Councilwoman Balazs. All in Favor. The Clerk read Ordinance 2024-31 by title only. Mayor Guindi opened the floor for public hearing of Ordinance 2024-31 only.

Ed Trygar, 1 Johnson Place, speaks on his concern with joining the Planning and Zoning Boards. Discussions ensue regarding the process of making a Joint Land Use Board.

Richard Byrne, 11 Bissett Place, suggests this would be a good idea being that there have been some instances when applications have gone to the wrong board for review.

Lisa Byrne, 11 Bissett Place, would like to know how this process would work if there were any pending applications for both boards and Mayor Guindi answers.

Being no public came forth, Councilman Ciulla motioned to close public hearing of said Ordinance; seconded by Councilman Dziemian. All in Favor.

Adopted 8-5-24

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>					X	
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>					X	
<i>Council President Krenznel</i>			X			

ALYSSA HAGER, RMC
BOROUGH CLERK

ORDINANCE 2024 –32

**AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE OF THE BOROUGH OF
SOUTH RIVER, SO AS TO AMEND CHAPTER 295, ENTITLED “SUBDIVISION AND SITE
PLAN REVIEW, STORMWATER MANAGEMENT”**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex,

and State of New Jersey, as follows:

SECTION 1. Chapter 295 of the Borough Code of the Borough of South River, entitled “Subdivision and Site Plan Review; Stormwater Management” is hereby amended so as to amend Part 2. Entitled “Stormwater” so as to amend Article X entitled “Stormwater Management” so as to amend §295-53 Scope and Purpose as set forth below:

§295-53 Scope and Purpose

C. Applicability.

1. This ordinance shall be applicable to the following major developments:

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- a. Non-residential major developments; and
 - b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This ordinance shall also be applicable to all major developments undertaken by the Borough of South River.
 3. An application required by ordinance pursuant to (b)1 above that has been submitted prior to August 12, 2024, shall be subject to the stormwater management requirements in effect on August 11, 2024.
 4. An application required by ordinance for approval pursuant to (b)1 above that has been submitted on or after March 2, 2021, but prior to August 12, 2024, shall be subject to the stormwater management requirements in effect on August 11, 2024.
 5. Notwithstanding any rule to the contrary, a major development for any public roadway or railroad project conducted by a public transportation entity that has determined a preferred alternative or reached an equivalent milestone before July 17, 2023, shall be subject to the stormwater management requirements in effect prior to July 17, 2023.

SECTION 2. Chapter 295 of the Borough Code of the Borough of South River, entitled "Subdivision and Site Plan Review; Stormwater Management" is hereby amended so as to amend Part 2. Entitled "Stormwater" so as to amend Article X entitled "Stormwater Management" so as to amend §295-54 Definitions as set forth below:

§295-54 Definitions

"Public roadway or railroad" means a pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.

"Public transportation entity" means a Federal, State, county, or municipal government, an independent State authority, or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c. 90 (N.J.S.A. 40A:11-52 et seq.), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction, or improvement of a public roadway or railroad.

SECTION 3. Chapter 295 of the Borough Code of the Borough of South River, entitled "Subdivision and Site Plan Review; Stormwater Management" is hereby amended so as to amend Part 2. Entitled "Stormwater" so as to amend Article X entitled "Stormwater Management" so as to amend §295-55 Design and Performance Standards for Stormwater Management Measures as set forth below:

§295-55 Design and Performance Standards for Stormwater Management Measures

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
 - 1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
 - 2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

SECTION 4. Chapter 295 of the Borough Code of the Borough of South River, entitled “Subdivision and Site Plan Review; Stormwater Management” is hereby amended so as to amend Part 2. Entitled “Stormwater” so as to amend Article X entitled “Stormwater Management” so as to amend §295-56 Stormwater Management Requirement for Major Development as set forth below:

§295-56 Stormwater Management Requirement for Major Development

- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in §295-56(O), (P), (Q) and (R). When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department’s website at:

<https://dep.nj.gov/stormwater/bmp-manual/>.

- P. Groundwater Recharge Standards
 - 1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:

2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at §295-57, either:
 - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the projected 2-year storm, as defined and determined pursuant to Section V.D of this ordinance, is infiltrated.
3. This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
 - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan approved pursuant to the Administrative Requirements for the Remediation of Contaminated Sites rules, N.J.A.C. 7:26C, or Department landfill closure plan and areas; and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - ii. Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at §295-57, complete one of the following:
 - i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section V.C and D, respectively, of this ordinance, do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;

- ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the current and projected 2-, 10-, and 100-year storm events, as defined and determined pursuant to Section V.C and D, respectively, of this ordinance, and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - iii. Design stormwater management measures so that the post-construction peak runoff rates for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section V.C and D, respectively, of this ordinance, are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i, ii and iii above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.
3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

SECTION 5. Chapter 295 of the Borough Code of the Borough of South River, entitled "Subdivision and Site Plan Review; Stormwater Management" is hereby amended so as to amend Part 2. Entitled "Stormwater" so as to amend Article X entitled "Stormwater Management" so as to amend §295-57 Calculation of Stormwater Runoff and Groundwater Recharge to read as follows:

§295-57 Calculation of Stormwater Runoff and Groundwater Recharge:

- A. Stormwater runoff shall be calculated in accordance with the following:
 - 1. The design engineer shall calculate runoff using the following methods:
 - i. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented.

Information regarding the methodology is available from the Natural Resources Conservation Service website at:

<https://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422>

or at United States Department of Agriculture Natural Resources Conservation Service, New Jersey State Office.

2. For the purpose of calculating curve numbers and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term “curve number” applies to the NRCS methodology above at §295-57(A)(1)(i). A curve number or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 – Urban Hydrology for Small Watersheds* or other methods may be employed.
5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

<https://www.nj.gov/dep/njgs/pricelst/gsreport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

- C. The precipitation depths of the current two-, 10-, and 100-year storm events shall be determined by multiplying the values determined in accordance with items 1 and 2 below:
1. The applicant shall utilize the National Oceanographic and Atmospheric Administration (NOAA), National Weather Service's Atlas 14 Point Precipitation Frequency Estimates: NJ, in accordance with the location(s) of the drainage area(s) of the site. This data is available at:
https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj; and
 2. The applicant shall utilize Table 5: Current Precipitation Adjustment Factors below, which sets forth the applicable multiplier for the drainage area(s) of the site, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 5: Current Precipitation Adjustment Factors

County	Current Precipitation Adjustment Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Atlantic	1.01	1.02	1.03
Bergen	1.01	1.03	1.06
Burlington	0.99	1.01	1.04
Camden	1.03	1.04	1.05
Cape May	1.03	1.03	1.04
Cumberland	1.03	1.03	1.01
Essex	1.01	1.03	1.06
Gloucester	1.05	1.06	1.06
Hudson	1.03	1.05	1.09
Hunterdon	1.02	1.05	1.13
Mercer	1.01	1.02	1.04
Middlesex	1.00	1.01	1.03
Monmouth	1.00	1.01	1.02
Morris	1.01	1.03	1.06
Ocean	1.00	1.01	1.03
Passaic	1.00	1.02	1.05
Salem	1.02	1.03	1.03
Somerset	1.00	1.03	1.09
Sussex	1.03	1.04	1.07
Union	1.01	1.03	1.06
Warren	1.02	1.07	1.15

- D. Table 6: Future Precipitation Change Factors provided below sets forth the change factors to be used in determining the projected two-, 10-, and 100-year storm events for use in this chapter, which are organized alphabetically by county. The precipitation depth of the projected two-, 10-, and 100-year storm events of a site shall be determined by multiplying the precipitation depth of the two-, 10-, and 100-year storm events determined from the National Weather Service's Atlas 14 Point Precipitation Frequency Estimates pursuant to (c)1 above, by the change factor in the table below, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development and/or its drainage area lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 6: Future Precipitation Change Factors

County	Future Precipitation Change Factors		
	2-year Design Storm	10-year Design Storm	10-year Design Storm
Atlantic	1.22	1.24	1.39
Bergen	1.20	1.23	1.37
Burlington	1.17	1.18	1.32
Camden	1.18	1.22	1.39
Cape May	1.21	1.24	1.32
Cumberland	1.20	1.21	1.39
Essex	1.19	1.22	1.33
Gloucester	1.19	1.23	1.41
Hudson	1.19	1.19	1.23
Hunterdon	1.19	1.23	1.42
Mercer	1.16	1.17	1.36
Middlesex	1.19	1.21	1.33
Monmouth	1.19	1.19	1.26
Morris	1.23	1.28	1.46
Ocean	1.18	1.19	1.24
Passaic	1.21	1.27	1.50
Salem	1.20	1.23	1.32
Somerset	1.19	1.24	1.48
Sussex	1.24	1.29	1.50
Union	1.20	1.23	1.35
Warren	1.20	1.25	1.37

SECTION 6. Chapter 295 of the Borough Code of the Borough of South River, entitled “Subdivision and Site Plan Review; Stormwater Management” is hereby amended so as to amend Part 2. Entitled “Stormwater” so as to amend Article X entitled “Stormwater Management” so as to amend §295-58 Sources for Technical Guidance to read as follows:

§295-58 Sources for Technical Guidance:

- A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department’s website at:

[https://dep.nj.gov/stormwater/bmp-manual/.](https://dep.nj.gov/stormwater/bmp-manual/)

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.
2. Additional maintenance guidance is available on the Department’s website at:

[https://dep.nj.gov/stormwater/maintenance-guidance/.](https://dep.nj.gov/stormwater/maintenance-guidance/)

- B. Submissions required for review by the Department should be mailed to:

The Division of Watershed Protection and Restoration, New Jersey Department of Environmental Protection, Mail Code 501-02A, PO Box 420, Trenton, New Jersey 08625- 0420.

SECTION 7 Chapter 295 of the Borough Code of the Borough of South River, entitled “Subdivision and Site Plan Review; Stormwater Management” is hereby amended so as to amend Part 2. Entitled “Stormwater” so as to amend Article X entitled “Stormwater Management” so as to amend §295-62 Maintenance and Repair to read as follows:

§295-62 Maintenance and Repair:

B. General Maintenance

8. The requirements of §295-62(B)(3) and §295-62(B)(4) do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.

[https://dep.nj.gov/stormwater/maintenance-guidance/.](https://dep.nj.gov/stormwater/maintenance-guidance/)

SECTION 8. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 9. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 10. This ordinance shall take effect after second reading and publication as required by law.

Council President Krenznel motioned to waive the full reading; seconded by Councilwoman Balazs. All in Favor. The Clerk read Ordinance 2024-32 by title only. Mayor Guindi opened the floor for public hearing of Ordinance 2024-32 only.

Being no public came forth, Councilman Ciulla motioned to close public hearing of said Ordinance; seconded by Councilman Gurchensky. All in Favor.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>		X	X			
<i>Councilman DeSantis</i>					X	
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenznel</i>	X		X			

ALYSSA HAGER, RMC
BOROUGH CLERK

ORDINANCE 2024 –33

AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE OF THE BOROUGH OF SOUTH RIVER, SO AS TO AMEND CHAPTER 72 ENTITLED “PUBLIC SAFETY, DEPARTMENT OF”

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex, and State of New Jersey, as follows:

SECTION 1.

Chapter 72 of the Borough Code of the Borough of South River, entitled "Public Safety, Department of" is hereby amended so as to amended Section 72-24 entitled "Method of Promotion" to read as follows:

§ 72-24. Method of Promotion.

A. Reserved.

B. Sergeant.

In the event a vacancy for the position of Sergeant is to be filled, it shall be filled based on merit, which shall include general qualifications, examinations, service record review and seniority to determine police knowledge, skills, and abilities. Procedures for the rank of Sergeant shall be as follows:

1. Notification.

- a. Whenever any promotional examination is to be conducted, the Chief of Police shall notify the eligible members of this Police Department of the vacancy, and the promotional examinations, criteria, evaluations, and procedures to be employed in filling the vacancy.
- b. This notification shall be contained in a written announcement that shall either be posted in a prominent location within the Police Department of the vacancy, and/or shall be issued to each eligible candidate personally (hereinafter "notification date").
- c. Personnel eligible for promotion who wish to participate in the promotional process shall provide written notification to the Chief of Police within ten (10) days from the posting date. This notice of intent shall be completed on South River Police Department Police Letterhead and shall include the officer's hiring date as a police officer with the Borough of South River and the level of education that he/she has attained and/or all military service time, inclusive of brand and date of honorable discharge, if applicable. The early submission of this information will allow the Chief of Police or designee to verify the information contained in the individual's personnel file. The early submission of this information will allow for the resolution of any conflicts prior to the start of the selection process and will avoid any delay in the final tabulation of the overall scores.
- d. The notification date of the promotional examination shall be a minimum of eight (8) weeks from the date of the written examination.

2. General Qualifications.

- a. Continuous permanent service as a police officer with the South River Police Department for five (5) complete years without interruption. Officers on an approved leave of absence will have their time counted toward the 5-year requirement from promotion eligibility.

- b. A police officer must serve at least five years with this Police Department before becoming eligible to participate in the promotional process for the rank of Sergeant.
- c. A candidate for promotion must successfully pass all sections of the promotional testing process prior to being eligible for promotion.
- d. When the length of service standards of this section provide two or fewer candidates for a promotional examination, the Chief of Police may open the examination to members of the Police Department in the next lower rank who meet the criteria set forth in this section or have at least 3 years of service with the Borough of South River, measured from the date of posting of the examination process.

3. Examination

The examination process shall consist of five elements: (a) written examination, (b) oral examination, (c) service record review, (d) seniority and (e) Chief's interview. The Chief's interview will be administered to the top three eligible candidates once a vacancy(ies) becomes available.

- a. Written examination. The written examination for the rank of Sergeant will be conducted by the New Jersey State Association of Chiefs of Police (NJSACOP) Examination Committee, which is hereby established as the South River Police Department's choice to supply, conduct, and score the written exam:
 - (1) NJSACOP will provide study guides and a book list of sources for study guides.
 - (2) Candidates for the rank of Sergeant must achieve a score of 70% or above on their written examination to be considered eligible for promotion and continue in the promotional process.
 - (3) The police department will notify the individual officers of their written scores in writing. Candidates who receive written test scores of 70% or above and who want to proceed in the promotional process shall submit, in memorandum form, a memorandum detailing their respective experiences with the South River Police Department. This memorandum shall reflect the assignments held by each individual within the police department, a description of any program or programs that the individual participated in or initiated. Additionally, such things as attendance, experience, education, training and departmental awards should be mentioned in this writing. This memorandum shall be submitted to the Chief of Police at least four weeks prior to the date of the oral examination. These memorandums will be reviewed for accuracy by the Chief of Police or designee and will be forwarded to the oral examination panel for its review and use during the oral exam and interview with the Chief of Police.
- b. Oral examination. The oral examination for the rank of Sergeant will be administered by the New Jersey State Association of Chiefs of Police (NJSACOP) Examination Committee. The oral examination will be conducted by a panel of three Police Chiefs who are members of the Examination Committee.
 - (1) The scheduling of these oral examinations will be announced when the actual number of individuals to be interviewed is determined after the written examination.
 - (2) The posting of dates and times of the oral examinations shall contain a list of publications related to the issues of supervision, organization, and command that each candidate can utilize in preparing for his/her oral exam.
 - (3) Each candidate for promotion shall appear in his/her Class A uniform for their oral examination.

- (4) Each candidate shall be notified in writing of their score.
- (5) Subject matter for these oral examinations will include, but not limited to:

- Arrest search and seizure
- Supervision
- Organization and command
- Supreme Court decisions (NJ & US)
- Laws of evidence
- Criminal law
- NJ Attorney General Guidelines & Directives
- School memorandum of understanding
- Court procedures
- Motor vehicle laws
- Megan's Law

- (6) Candidates for the rank of Sergeant must achieve a score of 70% or above during their oral examination to be considered eligible for promotion and continue in the promotional process.

- c. Service record review. Service record review shall be given a numerical score and scored on a form approved by the Chief of Police. The review will be conducted by the Chief of Police, the Deputy Chief of Police and a current member of the Command Staff. The scores of each reviewer will be totaled and divided by the number of reviewers to arrive at an average score. Each candidate shall receive a copy of his/her service record review and a copy placed in his/her personnel file.

Service record review will be completed for all candidate(s) who have successfully completed the written and oral examinations.

- (1) Performance evaluations, review of the last five years = 20 points.
 - (a) Knowledge = seven points maximum.
 - (b) Personal Traits = three points maximum.
 - (c) Skills & Abilities = seven points maximum.
 - (d) Leadership = three points maximum.
- (2) Education/military achieved as of the date of the written examination (only for last degree achieved) = 10 points.
 - (a) Associate's degree – two and one-half points
 - (b) Bachelor's degree or four years of military (honorable discharge) – five points.
 - (c) Master's degree – Seven and one-half points.
 - (d) Doctorate – Ten points.
- (3) Leadership ability = 20 points.
 - (a) Leadership – five points maximum.
 - (b) Decision making – five points maximum.
 - (c) Problem solving – five points maximum.
 - (d) Assigning & Delegating Tasks Responsibilities – five points maximum.
- (4) Commendations = 10 points.
 - (a) One points for each commendation issued up to ten points.

- (b) Only commendations from those awarded in accordance with South River Police Department
- (c) Commendations will be considered from those awarded over the last five years prior to date of review.
- (5) Assignments/instructor/committee/liaison = 10 points maximum.
 - (a) One point for each position held during the last five years from the date of the review.
- (6) Discipline = 10 points maximum.
 - (a) Two points for each year with no disciplinary record (written reprimand or above) during the last five years prior to the date of review.
- (7) Sick time = 20 points maximum.
 - (a) Four points for each year with 80 sick hours or less over the last five years prior to date of review.

4. Scoring.

- a. The written exam shall be pass/fail (70% is passing) – 30%.
- b. The oral exam shall be pass/fail (70% is passing) – 30%.
- c. Service record review shall be scored numerically (no minimum score) – 35%.
- d. Seniority – 5%. Seniority is defined as time with the South River Police Department at the rank of patrolman. Candidates with equal time at the rank of patrolman will receive equal rankings. Seniority shall be based on the following:

Years Completed of Service	Points
5	2.5
6	5
7	10
8	15
9	20
10	25
11	30
12	35
13	40
14	45

15	50
16	55
17	60
18	65
19	70
20	75
21	80
22	85
23	90
24	95
25	100

5. Ranking.

- a. Officers shall be ranked upon completion of the written examination, oral examination, service record review and seniority calculations.
- b. The Chief of Police shall certify the score of each candidate and shall post the same in a conspicuous place in police headquarters, indicating the order of finish of the candidates; such list shall be posted within 30 days after the completion of the oral examination.

6. Chief's interview. The Chief's interview will be conducted by the Chief and the Deputy Chief. The Chief of Police shall make the recommendation(s) for promotion to the Mayor and Council after all eligible candidates are interviewed.

7. Selection.

- a. For each promotion, the Chief of Police shall consider the first three names of candidates standing highest on the list of eligible candidates. The Chief of Police shall select one of the three eligible candidates. If the candidates have the same score, preference shall be given to Borough of South River residents, pursuant to N.J.S.A. 40A:14-122.6.

- b. The list of eligible candidates for promotion will be adjusted after each selection by the Chief of Police to maintain a ranking of first through last based on the overall scores of the remaining eligible candidates for promotion.
- c. The Chief of Police is not bound to make recommendations based solely on the numerical rankings of the officers who have successfully completed the process.
- d. The Chief of Police shall only recommend for promotion from the list of candidates who have successfully completed and passed all aspects of the promotional testing procedures.
- e. The Mayor and Council shall not promote any officer who has not been recommended for promotion by the Chief of Police.
- f. If a position in the rank of Sergeant becomes vacant within three years from the date of completion of the written test, the Chief of Police shall make his recommendation from those remaining and available officers.
- g. In the event that a Sergeant is unable to perform his/her duties due to vacation, ill health, leave of absence, suspension or any other reason, the Chief of Police may designate an officer who shall assume the duties and responsibilities of the Sergeant in his/her absence.

8. Psychological examination.

- a. After a selection is made, officer(s) will be scheduled for a psychological or psychiatric examination.
- b. The candidate must pass the psychological or psychiatric examination to be promoted.

9. Probation.

Every successful candidate promoted to Sergeant shall serve a 6-month probationary period and only upon successful completion of the probationary period the candidate will be made permanent.

10. Appeal.

- a. An applicant may appeal to the Chief of Police, through the chain of command, each or any of the following elements of the process by submitting a written request:
 - (1) General qualifications.
 - (2) Written examination.
 - (3) Oral examination.
 - (4) Service record review.
 - (5) Seniority.
 - (6) Chief's interview
- b. The Chief of his/her designee shall review each or all elements with the officer and provide him/her with their results.
- c. The appeal must be within 10 calendar days from the results of the specific element.

11. Expiration.

- a. The list shall expire three years from the date of the completion of the written examination.

C. Lieutenant.

In the event a vacancy for the position of Lieutenant is to be filled, it shall be filled based on merit, which shall include general qualifications, examinations, service record review and service time to determine police knowledge, skills, and abilities. Procedures for the rank of Lieutenant shall be as follows:

12. Notification.

- e. Whenever any promotional examination is to be conducted, the Chief of Police shall notify the eligible members of this Police Department of the vacancy, and the promotional examinations, criteria, evaluations, and procedures to be employed in filling the vacancy.
- f. This notification shall be contained in a written announcement that shall either be posted in a prominent location within the Police Department of the vacancy, and/or shall be issued to each eligible candidate personally (hereinafter "notification date").
- g. Personnel eligible for promotion who wish to participate in the promotional process shall provide written notification to the Chief of Police within ten (10) days from the notification date. This notice of intent shall be completed on South River Police Department Police Letterhead and shall include the officer's hiring date as a police officer with the Borough of South River and the level of education that he/she has attained and/or all military service time, inclusive of branch and date of honorable discharge, if applicable. The early submission of this information will allow the Chief of Police or designee to verify the information contained in the individual's personnel file. The early submission of this information will allow for the resolution of any conflicts prior to the start of the selection process and will avoid any delay in the final tabulation of the overall scores.
- h. The notification date of the promotional examination shall be a minimum of eight (8) weeks from the date of the oral examination.

13. General Qualifications.

- e. Successful completion of any probationary period and continuous service as a Sergeant in the South River Police Department for at least one year without interruption except for an approved leave of absence.
- f. A candidate for promotion must successfully pass all sections of the promotional testing process prior to being eligible for promotion.
- g. When the length of service standards of this section provide two or fewer candidates for a promotional examination, the Chief of Police may dispense with the promotional examination process, and interview the eligible candidates as set forth in C.6. and recommend a candidate for promotion.

14. Examination

The examination process shall consist of five elements: (a) written examination, (b) oral examination, (c) service record review, (d) application of service time and (e) Chief's interview. The Chief's interview will be administered to the top three eligible candidates once a vacancy(ies) becomes available.

d. Written examination. The written examination for the rank of Lieutenant will be conducted by the New Jersey State Association of Chiefs of Police (NJSACOP) Examination Committee, which is hereby established as the South River Police Department's choice to supply, conduct, and score the written exam:

- (1) NJSACOP will provide study guides and a book list of sources for study guides.
- (2) Candidates for the rank of Lieutenant must achieve a score of 70% or above on their written examination to be considered eligible for promotion and continue in the promotional process.
- (3) The police department will notify the individual officers of their written scores in writing. Candidates who receive written test scores of 70% or above and who want to proceed in the promotional process shall submit, in memorandum form, a memorandum detailing their respective experiences with the South River Police Department. This memorandum shall reflect the assignments held by each individual within the police department, a description of any program or programs that the individual participated in or initiated. Additionally, such things as attendance, experience, education, training and departmental awards should be mentioned in this writing. This memorandum shall be submitted to the Chief of Police at least four weeks prior to the date of the oral examination. These memorandums will be reviewed for accuracy by the Chief of Police or designee and will be forwarded to the oral examination panel for its review and use during the oral exam and interview with the Chief of Police.

e. Oral examination. The oral examination for the rank of Lieutenant will be administered by the New Jersey State Association of Chiefs of Police (NJSACOP). The oral examination will be conducted by a panel of three Police Chiefs who are members of the Examination Committee.

- (7) The scheduling of these oral examinations will be announced when the actual number of individuals to be interviewed is determined after the written examination.
- (8) The posting of dates and times of the oral examinations shall contain a list of publications related to the issues of supervision, organization, and command that each candidate can utilize in preparing for his/her oral exam.
- (9) Each candidate for promotion shall appear in his/her Class A uniform for their oral examination.
- (10) Each candidate shall be notified in writing of their score.
- (11) Subject matter for these oral examinations will include, but not limited to:

Arrest search and seizure
Supervision
Organization and command
Supreme Court decisions (NJ & US)
Laws of evidence
Criminal law

NJ Attorney General Guidelines & Directives
School memorandum of understanding
Court procedures
Motor vehicle laws
Megan's Law

(12) Candidates for the rank of Lieutenant must achieve a score of 70% or above during their oral examination to be considered eligible for promotion and continue in the promotional process.

- f. Service record review. Service record review shall be given a numerical score and scored on a form approved by the Chief of Police. The review will be conducted by the Chief of Police, the Deputy Chief of Police and the current lieutenant(s). The scores of each reviewer will be totaled and divided by the number of reviewers to arrive at an average score. Each candidate shall receive a copy of his/her service record review and a copy placed in his/her personnel file.

Service record review will be completed for all candidate(s) who have successfully completed the written and oral examinations.

(8) Performance evaluations, review of the last three years = 20 points.

- (e) Knowledge = seven points maximum.
- (f) Personal Traits = three points maximum.
- (g) Skills & Abilities = seven points maximum.
- (h) Leadership = three points maximum.

(9) Education/military achieved as of the date of the written examination (only for last degree achieved) = 20 points.

- (e) Associate's degree – five points
- (f) Bachelor's degree or four years of military (honorable discharge) – ten points.
- (g) Master's degree – fifteen points.
- (h) Doctorate – twenty points.

(10) Leadership ability = 20 points.

- (e) Leadership – five points maximum.
- (f) Decision making – five points maximum.
- (g) Problem solving – five points maximum.
- (h) Assigning & Delegating Tasks Responsibilities – five points maximum.

(11) Commendations = 5 points.

- (d) One points for each commendation issued up to five points.
- (e) Only commendations from those awarded in accordance with South River Police Department
- (f) Commendations will be considered from those awarded over the last five years prior to date of review.

(12) Assignments/instructor/committee/liaison = 5 points maximum.

- (b) One point for each position held during the last five years from the date of the review.

(13) Discipline = 10 points maximum.

- (b) Two points for each year with no disciplinary record (written reprimand or above) during the last five years prior to the date of review.

(14) Sick time = 20 points maximum.

- (a) Four points for each year with 80 sick hours or less over the last five years prior to date of review.

g. Service Time.

- (1) The candidate shall receive a quarter point seniority for each fully completed year of service as a Sergeant on the South River Police Department.

15. Scoring.

- e. The written examination shall be pass/fail (70% is passing) – 20%
- f. The oral examination shall be pass/fail (70% is passing) – 40%
- g. Service record review shall be scored numerically (no minimum score) – 40%
- h. Points awarded for service time shall be added to the final score from elements a., b., and c. above.

16. Ranking.

- c. Officers shall be ranked upon completion of the written examination, oral examination, service record review and service time calculations.
- d. The Chief of Police shall certify the score of each candidate and shall post the same in a conspicuous place in police headquarters, indicating the order of finish of the candidates; such list shall be posted within 30 days after the completion of the oral examination.

17. Chief's interview. The Chief's interview will be conducted by the Chief and the Deputy Chief. The Chief of Police shall make the recommendation(s) for promotion to the Mayor and Council after all eligible candidates are interviewed.

18. Selection.

- h. For each promotion, the Chief of Police shall consider the first three names of candidates standing highest on the list of eligible candidates. The Chief of Police shall select one of the three eligible candidates. In the event that the candidates have the same score, preference shall be given to Borough of South River residents, pursuant to N.J.S.A. 40A:14-122.6.
- i. The list of eligible candidates for promotion will be adjusted after each selection by the Chief of Police to maintain a ranking of first through last based on the overall scores of the remaining eligible candidates for promotion.
- j. The Chief of Police is not bound to make recommendations based solely on the numerical rankings of the officers who have successfully completed the process.
- k. The Chief of Police shall only recommend for promotion from the list of candidates who have successfully completed and passed all aspects of the promotional testing procedures.
- l. The Mayor and Council shall not promote any officer who has not been recommended for promotion by the Chief of Police.
- m. If a position in the rank of Lieutenant becomes vacant within three years from the date of completion of the oral examination, the Chief of Police shall make his recommendation from those remaining available officers.
- n. In the event that a Lieutenant is unable to perform his/her duties due to vacation, ill health, leave of absence, suspension or any other reason, the Chief of Police may designate a Sergeant who shall assume the duties and responsibilities of the Lieutenant in his/her absence.

19. Appeal.

- d. An applicant may appeal to the Chief of Police, through the chain of command, each or any of the following elements of the process by submitting a written request:
 - (7) General qualifications.
 - (8) Written examination.
 - (9) Oral examination.
 - (10) Service record review.
 - (11) Service time record.
 - (12) Chief's interview
- e. The Chief of his/her designee shall review each or all elements with the officer and provide him/her with their results.
- f. The appeal must be within 10 calendar days from the results of the specific element.

20. Expiration.

- b. The list shall expire three years from the date of the completion of the written examination.

D. Deputy Chief

In the event a vacancy for the position of Deputy Chief is to be filled, it shall be filled based on merit which shall include general qualifications, and service record review to determine police knowledge, skills, and abilities.

Procedures for the rank of Deputy Chief shall be as follows:

1. Notification.

- a. The Chief of Police will announce a vacancy for the position of Deputy Chief. This notification shall be contained in a written announcement that shall either be posted in a prominent location within the Police Department, and/or shall be issued to each eligible candidate personally (hereinafter "notification date").

2. General Qualifications.

- a. A member of this Police Department must serve at least five years with this Police Department before becoming eligible for promotion to the rank of Deputy Chief.
- b. Supervisory personnel with a rank greater than patrol officer (Sergeants and Lieutenants) shall not be eligible for additional promotion until they have completed at least one year of service in that grade.
- c. Candidates for promotion must have completed their necessary year(s) of service prior to the time they provide written notification to the Chief of Police of their intention to compete for the vacant position of Deputy Chief.
- d. When the length of service standards established in this section provide two or fewer candidates for promotional selection process to the rank of Deputy Chief, the Chief of Police may open the selection process to members of the Police Department in the next lower rank and who meet the criteria set forth in this section.

3. Selection.

- a. Personnel eligible for promotion to the rank of Deputy Chief who wish to participate in the promotional selection process shall provide written notification to the Chief of Police of their

intention to compete for the vacant position. This notice of intent shall be completed on a South River Police Department official report form and shall be submitted to the Chief of Police no later than four weeks from the date of the promotional announcement.

- b. All eligible candidates for promotion to the rank of Deputy Chief shall also be required to submit, in memorandum form, a memorandum detailing their respective experiences with the South River Police Department. This memorandum should reflect the assignments held by each individual within the Department, a description of any program or programs that the individual participated in or initiated. Additionally, such things as productivity, attendance, experience, education, training, and departmental awards should be mentioned in this writing. This memorandum shall be submitted to the Chief of Police no later than four weeks from the date of the promotional procedure announcement.
- c. Candidates will be evaluated by the Chief of Police. The Chief of Police shall consider the length of service and the merit and fitness of all eligible candidates for promotion to the rank of Deputy Chief as required and in accordance with N.J.S.A. 40A:14-118 et seq. The Chief of Police shall then select the eligible candidate of his choice to be promoted to the rank of Deputy Chief.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby

repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

Council President Krenzel motioned to waive the full reading; seconded by Councilwoman Balazs. All in Favor. The Clerk read Ordinance 2024-33 by title only. Mayor Guindi opened the floor for public hearing of Ordinance 2024-33 only.

Being no public came forth, Councilman Ciulla motioned to close public hearing of said Ordinance; seconded by Councilman Gurchensky. All in Favor.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>					X	
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>		X	X			
<i>Council President Krenzel</i>			X			

ALYSSA HAGER, RMC
BOROUGH CLERK

ORDINANCE 2024 –34

**AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE OF THE BOROUGH OF
SOUTH RIVER, SO AS TO AMEND CHAPTER 193 ENTITLED “VEHICLES AND TRAFFIC”**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex,
and State of New Jersey, as follows:

SECTION 1. Chapter 193 of the Borough Code of the Borough of South River, entitled "Vehicles and Traffic," is hereby amended and supplemented so as to amend Article IV “Special Zones and Areas” so as to add § 193-17.3 entitled, “Municipal Parking designated,” to read entirely as follows:

§ 193-17.3 Municipal Parking Designated.

With the exception of Borough of South River vehicles, and personal vehicles owned and/or operated by municipal personnel, it shall be unlawful and a violation of the provisions of this chapter:

- A. To park any vehicle at or on any place in the parking area located at 53-55 Washington Street for any reason other than municipal business to be conducted at 48 Washington Street.
- B. To obstruct, impede or interfere with, in any manner whatsoever, the free and orderly passage of traffic in the parking area of vehicles parked or reserved for the movement of traffic within or to or from the parking area.
- C. For the purposes of this section the following definitions are applicable:
 - 1. Parking Area: The parking lot located at 53-55 Washington Street.
 - 2. Park or Parking: The standing of a vehicle, whether occupied or not, upon or in the designated parking area except for the temporarily standing for the purpose of and while actually engaged in receiving or discharging passengers or in obedience to traffic regulations, signs or signals or any involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle.

SECTION 2. Chapter 193 of the Borough Code of the Borough of South River, entitled "Vehicles and Traffic," is hereby amended and supplemented so as to amend Article IV “Special Zones and Areas” so as to add § 193-17.4 entitled, “Violations and Penalties Municipal Parking designated,” to read entirely as follows:

§ 193-17.4 Violation and Penalties

- A. Any vehicle which is not immediately removed from the municipal use only area in violation of this chapter and is not moved and continues to be parked in this parking area shall be subject to be removed and towed

from the parking area and impounded, and any and all cost for said towing, impounding and/or storage thereof shall be the responsibility of the owner and/or operator of said vehicle. No vehicle shall be returned to the lawful owner until said costs for towing, impounding and/or storage thereof is paid in full.

- B. Except as otherwise provided in this article, any person who violates or who fails or refuses to comply with this article shall be liable to a penalty as prescribed in Chapter 1, § **1-1**, General Penalty, of this Code, for each offense, to be recovered by and in the name of the municipality.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

Council President Krenzel motioned to waive the full reading; seconded by Councilwoman Balazs. All in Favor. The Clerk read Ordinance 2024-34 by title only. Mayor Guindi opened the floor for public hearing of Ordinance 2024-34 only.

Ed Trygar, 1 Johnson Place, speaks on the many parking issues in South River.

Being no public came forth, Councilman Ciulla motioned to close public hearing of said Ordinance; seconded by Councilwoman Balazs. All in Favor.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>	X		X			
<i>Councilman Ciulla</i>		X	X			
<i>Councilman DeSantis</i>					X	
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>			X			

ALYSSA HAGER, RMC
BOROUGH CLERK

ORDINANCE 2024 –35

**AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE OF THE BOROUGH OF
SOUTH RIVER, SO AS TO AMEND CHAPTER 300 ENTITLED “SWIMMING POOLS,
PRIVATE”**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex,

and State of New Jersey, as follows:

August 5th, 2024 Council Special Meeting Minutes- APPROVED 9/9/24

SECTION 1. Chapter 300 of the Borough Code of the Borough of South River, entitled "Swimming Pools, Private," is hereby amended so as to amend § 300-1 entitled, "Definitions," to read as follows:

§ 300-1 Definitions.

For the purpose of this chapter, the words and phrases listed below shall be defined as follows:

PARTLY NATURAL POOL

Any pool formed from a natural body of water of such an inadequate flow that the quantity or quality of the water must be maintained by artificial means and which has a water surface area in excess of 100 square feet or is capable of being filled to a water depth in excess of 24 inches and is designed and maintained for swimming purposes and used as an accessory use to a residence by the persons living therein and their guests.

PRIVATE SWIMMING POOL

Any pool designed and maintained for swimming purposes and used as an accessory use to a residence by the persons living therein and their guests. Unless otherwise qualified, the term "private swimming pool" shall be construed as including both artificial and partly natural pools that have a water surface area in excess of 100 square feet or are capable of being filled to a water depth in excess of 24 inches.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

Council President Krenzel motioned to waive the full reading; seconded by Councilwoman Balazs. All in Favor. The Clerk read Ordinance 2024-35 by title only. Mayor Guindi opened the floor for public hearing of Ordinance 2024-35 only.

Being no public came forth, Councilman Ciulla motioned to close public hearing of said Ordinance; seconded by Councilwoman Balazs. All in Favor.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>			X			
<i>Councilman DeSantis</i>					X	
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>		X	X			
<i>Council President Krenzel</i>	X		X			

ALYSSA HAGER, RMC
BOROUGH CLERK

ORDINANCE-- FIRST READING BY TITLE ONLY

The Borough Clerk read Ordinance 2024-37 by title only.

ORDINANCE 2024--37

**AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE OF THE BOROUGH OF
SOUTH RIVER, SO AS TO AMEND CHAPTER 193 ENTITLED "VEHICLES AND TRAFFIC"**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex,
and State of New Jersey, as follows:

SECTION 1. Chapter 193 of the Borough Code of the Borough of South River, entitled "Vehicles and Traffic," is hereby amended and supplemented so as to amend § 193-37 entitled, "Schedule VIII, Stop Intersections," so as to add the following locations:

INTERSECTION

STOP SIGN ON

Virginia Street and Darrow Street

Virginia Street in both directions

Virginia Street and Darrow Street

Darrow Street in both directions

SECTION 2. Chapter 193 of the Borough Code of the Borough of South River, entitled "Vehicles and Traffic," is hereby amended and supplemented so as to amend § 193-48 entitled, "Schedule XIX, No Passing Zones," so as to add the following locations:

NAME OF THE STREET

LOCATION

Virginia Street

Entire length from Garwood Street to Brenning Place.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on August 5, 2024, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 9th day of September, 2024, at 7:00 p.m., or as soon thereafter as this matter can be reached, at the Council Chamber of the Criminal Justice Building located at 61 Main Street, South River, New Jersey, and/or virtually via Zoom meeting code 826 6082 9597: password: 000000 at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Introduced 8-5-24

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			

<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>			X			

The Borough Clerk read Ordinance 2024-38 by title only.

ORDINANCE 2024-38

AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING THE SALE OF BLOCK 151, LOT 2.01

WHEREAS, pursuant to Resolution 2016-144, adopted on March 28, 2016, the Borough of South River designated a portion of the Borough, including Area Sub-151, consisting of Block 151, all lots including Lots 1, 2, 2.01, 3, 4, 4.01, 5, 6, 6.01, and 7 on the Official Tax Map of the Borough of South River as an area in need of redevelopment pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

WHEREAS, Hamilton Street Development, LLC is the owner of property located within Sub-151 and the Borough desires to sell property located at Block 151, Lot 2.01 to be consolidated with the adjacent property currently owned by the Buyer; and

WHEREAS, the Local Land and Buildings Law, N.J.S.A. 40A:12-13 permits the sale of real property by private sale to a developer when acting in accordance with the Local Redevelopment and Housing Law; and

WHEREAS, the Borough Council finds it to be in the best interest of the Borough to authorize the sale of the subject property to Hamilton Street Development, LLC, pursuant to N.J.S.A. 40A:12-13.

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex, and State of New Jersey, as follows:

SECTION 1. That the Borough Council hereby approves the sale of property located at Block 151, Lot 2.01, on the tax map of the Borough of South River to Hamilton Street Development, LLC, for the sum of \$10,000.00.

SECTION 2. That the Mayor is hereby authorized to execute, and the Borough Clerk to attest, to any and all documents that may be necessary to effectuate the terms of this Ordinance.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on August 5, 2024, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 9th day of September, 2024, at 7:00 p.m., or as soon thereafter as this matter can be reached, at the Council Chamber of the Criminal Justice Building located at 61 Main Street, South River, New Jersey, and/or virtually via Zoom meeting code 826 6082 9597: password: 000000 at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Introduced 8-5-24

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>		X	X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>			X			

The Borough Clerk read Ordinance 2024-39 by title only.

ORDINANCE 2024-39

AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY ADOPTING THE AMENDMENTS TO SUB-AREA 150 OF THE LOWER MAIN STREET REDEVELOPMENT PLAN

WHEREAS, pursuant to Resolution 2016-144, adopted on March 28, 2016, the Borough of South River designated a portion of the Borough consisting of the properties then identified as Block 147 Lots 23, 24, 25, 26, 27, 29, 30, 31, 32; Block 150 Lots 1, 1.01, 2.01, 4, 4.01, 4.03, 5, 6, 6.01, 6.02, 7; Block 151, all lots including Lots 1, 2, 2.01, 3, 4, 4.01, 5, 6, 6.01, 7; Block 152 all lots including Lots 1, 1.01, 2, 3, 4, 5, 6, 7, 7.01, 8.01, 8.02, 9, 10, 11, 12, 12.01, 13, 14, 15, 16; Block 153, Lots 1, 2, 1.01, 3, 4, 5.01, 5.02, 6, 7; Block 154, all lots including Lots 1, 2, 3, 4, 5, 6, 7; Block 155 all lots including, Lots 1, 3, 4, 5, 6, 6.02, 6.01, 7, 8, 9;; Block 156 all lots including Lots 1, 2, 3, 4, 5, 6, 7.01, 7.02, 8, 8.PT, 9, 10, 11, 11.01; Block 157 all lots including Lots 1, 2, 3, 4, 5, 6, 7, 8, 8.01, 9, 10.01, 10.02, 11, 12, 13, 14.1, 15, 15.1, 16, 17, 18, 18, 19, 20, 21; Block 158, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 30; Block 161, Lots 1, 2, 3, 4, 5, 6, 7, 7.01, 8, 9, 10, 11, 12, 13, 14, 15, 21, 29, 30, 21.01, 21.02; Block 321 Lots 11, 12, 13, 14; Block 325 Lot 1 on the Official Tax Map of the Borough of South River as an area in need of redevelopment pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, on October 16, 2016, the Lower Main Street Redevelopment Area Redevelopment Plan was adopted by the Borough Council; and

WHEREAS, on August 5, 2024 Brothers Builders PJ, LLC was designated as Redeveloper for Block 150, Lots 1, 1.01, 2.01, 4.01, 4.03, 5, 6, and 6.02; and

WHEREAS, the Redeveloper has requested certain amendments to the Redevelopment Plan, which have been reviewed and approved by the Borough's Planner Henry Bignell, PP, and incorporated into the Amendments to Sub Area 150, dated June 10, 2024 which is attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the Borough Council finds it to be in the best interest of the Borough to adopt the Amendments to Sub Area 150 to the Lower Main Street Redevelopment Plan.

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex, and State of New Jersey, as follows:

SECTION 1. That Amendments to Sub Area 150 to the Lower Main Street Redevelopment Plan prepared by the Borough Planner and dated June 10, 2024 attached hereto and made a part hereof as Exhibit A is hereby approved and adopted pursuant to N.J.S.A. 40A:12A-1 et. seq.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on August 5, 2024, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 9th day of September, 2024, at 7:00 p.m., or as soon thereafter as this matter can be reached, at the Council Chamber of the Criminal Justice Building located at 61 Main Street, South River, New Jersey, and/or virtually via Zoom meeting code 826 6082 9597: password: 000000 at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Introduced 8-5-24

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzle</i>			X			

DEPARTMENTAL/PROFESSIONAL REPORTS

Borough Engineer Bruce Koch

- **NJDOT FY 2023 Local Aid Program and NJDOT 2024 Local Aid Program**
 - The borough received a \$681,405.00 grant Leonardine Ave. from the OBT to Grand Ave., Prentice Ave., from Willet Ave. to Sheldon Ave., & Beryl St. from Cleveland Ave., to Wilcox.
 - The NJDOT has awarded the Borough a grant in the amount of \$606,980.00 for the Improvements to Darrow Street and Virginia Street to Bright Street, Dailey Street from Ferris Street to John Street from Colfax Street to George Street.
 - Bid Opening is scheduled for Thursday, July 25, 2024. We are issuing our report on the bids.
- **NJDOT FY 2023 Local Transportation Projects Grant**

- The borough received a \$575,000 grant for improvements to Albourne Street from Ferris Street to Seppi Avenue, Franklin Street from Wilson Avenue to Pulawski Avenue and Olchaskey Avenue from Kamm Avenue to Prentice Avenue. We submitted a proposal for the engineering/surveying services associated with same.
- **NJDOT FY 2025 Local Aid Program**
 - The NJDOT has announced that applications are being accepted for State Aid Programs. The deadline for grant applications is July 1, 2024. We submitted an application for the following roads on June 25, 2024:
 - Prentice Avenue from Willett Avenue to Sheldon Avenue
 - Tice Avenue from David Street to James Street
 - Cleveland Avenue from Virginia Street to Terminus
- **2023 Electrical Substation Maintenance**
 - The contractor is working on the testing and maintenance. There is a repair required for the Load Tap Changer on Transformer T-6.
- **NJDEP Stormwater Assistance Grant Application**
 - Our survey department has performed the services on this year's portion of the project up to the initial allocation.

Chief Financial Officer Joseph Zanga

- Speaks on amended Resolutions 2024-178, 179, 183, 189, 196, and 200.

Deputy Chief of Police John McKenna

- Speaks on speed humps laws.
- Speaks on traffic safety and parking.
- National Night Out will be on 8/6. If it is cancelled, a Nixel will go out.
- Speaks on cones for traffic control and public roadways. The front of a resident's house is open to the public to park in front of. Please do not put traffic cones in front of your house to prevent parking.

Borough Clerk Alyssa Hager

- No report

Borough Attorney Andrea Wyatt

- No report

Borough Administrator Londensky

- Provides updates on multiple projects.
- Speaks on resolutions 2024-258 and 2024-268.

DPW Director Adriano Soares

- There will be online bulk pickup scheduling. Please go to the borough website.
- The department will be closed on 9/2.

Mayor Guindi speaks on Traffic Safety and the DPW have been going around South River and yellowing out curbs, corners, and walkways and to prevent people from parking in certain areas.

COUNCIL LIAISON REPORTS

Councilman Ciulla

- Thanks the DPW and electric department.

August 5th, 2024 Council Special Meeting Minutes- APPROVED 9/9/24

Councilwoman Balazs

- Thanks DPW for changing gutters.
- Speaks on the South River Food Bank.

Councilman Gurchensky

- The OOA has changed hours to 9:30 to 3.
- Speaks on Water Meter Replacement project.
- 8/6 is National Night Out.
- 8/16 is the Recreation Fireworks.

Councilman DeSantis

- Speaks on Pop Warner.

Council President Krenzel

- Speaks on the Water Meter project progression.
- There will be a utilities meeting in September.

Councilman Dziemian

- Board of Education update.
- There are hopes of there being a Neighborhood Watch meeting in the fall.
- The Shade Tree Commission will have a tent at National Night Out.
- Speaks on Recreation statistics.
- The fireworks show is scheduled for 8/16. The luau show will be at 6 pm.

PUBLIC COMMENT

Mayor Guindi opened the floor for Public Comment.

Richard Byrne, 11 Bissett Place, speaks on the Shade Tree Commission and the Green Team. Mr. Byrne is in support of Ordinance 2024-37 and also speaks on the State Budget.

Salvatore Cuiccio, 104 OBT, would like someone to personally invite Sterley Stanley to a South River council meeting.

Jim Hutchison, 38 Virginia Street, congratulates Councilman DeSantis on being voted into council. Mr. Hutchison makes comments regarding Ordinance 2024-37 which is the Virginia Street study. Everything in the study is in this ordinance. Mr. Hutchison speaks on resolution 2024-257 and Mr. Koch answers. Mr. Hutchison speaks on dispensaries.

Being that no one else came forward for public comment, Mayor Guindi requested motion to close. Councilman Ciulla motioned to close; seconded by Council President Krenzel. All in Favor.

MAYORAL APPOINTMENTS

- Planning Board- Council Liaison (Vacant)

Mayor Guindi states newly appointed Councilman DeSantis will be taking this position.

WHEREAS RESOLUTION 2024-01 AUTHORIZES THE BOROUGH COUNCIL TO UTILIZE A CONSENT AGENDA TO ADOPT VARIOUS RESOLUTIONS OF A ROUTINE AND NONCONTROVERSIAL NATURE AT ONE TIME. NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED THAT THE BELOW LISTED RESOLUTIONS ARE HEREBY ADOPTED BY THE BOROUGH COUNCIL IN WHOLE AS IF THE SAME WERE INDIVIDUALLY ACTED UPON.

CONSENT RESOLUTIONS 2024-250 TO 2024-245 and 2024-271

RESOLUTION 2024-250
RESOLUTION GRANTING RENEWAL TO A
CONSUMPTION LICENSE IN THE BOROUGH
OF SOUTH RIVER FOR THE PERIOD JULY 1, 2024 TO JUNE 30, 2025

WHEREAS, an application for renewal of a Consumption License has been filed with the Division of Alcoholic Beverage Control Commission through its Online Licensing System and Borough renewal fees have been paid for the period of July 1, 2024 until June 30, 2025; and

WHEREAS, all requirements have been complied with and the Borough Council has determined that no protests have been filed against the granting of the said renewal application for such plenary license.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of South River, in the County of Middlesex, New Jersey that approval is hereby granted to said application, subject to the Rules and Regulations of the Alcoholic Beverage Control Commission and Code of the Borough of South River.

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the Division of Alcoholic Beverage Control Commission, the applicant for their record purposes, the Beverage Tax Bureau, and the Chief of Police of the Borough of South River.

LICENSE

NUMBER:

1223-33-031-004

LICENSEE:

Acapulco Tropicana Bar LLC
183 Prospect St.
South River, NJ 08882

DBA TRADE NAME

Acapulco Tropicana Bar

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-251

RESOLUTION AUTHORIZING AN ABANDONED VEHICLE AUCTION

WHEREAS, the South River Police Department has caused certain abandoned motor vehicles to be moved from the streets of South River by various wrecker operators licensed throughout the Borough; and

WHEREAS, the South River Police Department has proceeded and obtained junk titles with respect to said vehicles; and

WHEREAS, the South River Police Department wishes to auction said vehicles by public auction via sealed bid:

<u>VEHICLE</u>	<u>V.I.N.</u>	<u>MIN. BID</u>	<u>WRECKER</u>
2006 Mercedes S43	WDBNG83J66A466408	\$500.00	Logan's
2005 Ford Expedition	1FMFU16585LA73626	\$500.00	Logan's
2016 Silverado 2500	1GC1KWE GF128089	\$10,478.00	Coppa's
2016 Jeep Patriot	1C4NJRBB4GD597291	\$5,000.00	Fred's
2011 Hyundai Sonata	5NPEC4AC2BH034377	\$2,5000.00	Fred's

BE IT FURTHER RESOLVED that any interested party may inspect said vehicles by contacting the South River Police Traffic Safety Bureau at 61 Main Street until **10:00 a.m. on Tuesday, August 27th, 2024**, at which time all sealed bids shall be opened by the South River Police Department and will be auctioned to the highest bidder thereon with the following terms and conditions:

1. The Borough of South River reserves the right to withdraw any item or items
for sale without notice.
2. The equipment offered for sale is an "AS IS WHERE IS" condition with no
warranties, guarantees or representations of any kind as to their condition or quality and the sale will
be on an individual basis unless otherwise specified.
3. Sale will be made to the highest bidder who shall pay the full purchase price
in cash, certified check or money order at the time of the conclusion of the bidding process for the
item.
4. The successful bidder shall be required to move the item within ten (10)
days upon notification of acceptance of his bid.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South River, County of Middlesex, State of New Jersey authorize the Borough Clerk to advertise said notice

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			

Councilman DeSantis			X			
Councilman Dziemian			X			
Councilman Gurchensky			X			
Council President Krenznel		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-252

RESOLUTION AUTHORIZING THE PORTUGUESE CLUB A SPECIAL EVENTS PERMIT FOR AN ANNUAL PICNIC AND RELIGIOUS CELEBRATION TO BE HELD ON SEPTEMBER 1, 2024

WHEREAS, Portuguese Club, located at 100 John Street, South River New Jersey, has applied for a Special Events Permit for an Annual Picnic & Religious Ceremony to be held at 100 John Street, South River on Sunday, September 1, 2024 from 12:00 p.m. to 8:00 p.m.; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the application of the Portuguese Club for an Annual Picnic & Religious Ceremony to be held at 100 John Street, South River on Sunday, September 1, 2024 from 12:00 p.m. to 8:00 p.m. is hereby approved contingent upon the following:

1. Alcoholic beverages can only be served from 12:00 p.m. until 8:00 p.m. during the Annual Picnic & Religious Ceremony
2. There must be at least five (5) identifiable non-drinking members either by tag, badge, shirt, etc. assigned by the organization to provide security.
3. A one-day permit for an Annual Picnic, if necessary, will be obtained by ABC.
4. Proof of Liability Insurance provided to the Borough of South River when available.
5. Said event must follow all the rules, regulations of State, County, and Local Government.
6. Subject to approval by the South River Police Department and compliance with any condition included in their approval.
7. No parking in the area of the entrance and driveway of the picnic area from front to back.
8. Entrance gate to the picnic area is to remain unlocked from the start time to the finish time.
9. All agency approvals such as Code Compliance, Police, County Board of Health and Fire Marshal. Fire Marshal to be contacted by the applicant.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs			X			
Councilman Ciulla	X		X			
Councilman DeSantis			X			
Councilman Dziemian			X			
Councilman Gurchensky			X			
Council President Krenznel		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution

August 5th, 2024 Council Special Meeting Minutes- APPROVED 9/9/24

adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-253
RESOLUTION AUTHORIZING THE WAIVER OF A SPECIAL EVENT PERMIT FEE

WHEREAS, St. Mary's Holy Name Society has recommended that the requirements of Borough Code Chapter 288A entitled "Special Events" be waived during the Parish Family Picnic event to be held on Sunday September 8, 2024, from 12:00 p.m. to 6:00 p.m.; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the said waiver of requirements of Chapter 288A is hereby approved.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-254
RESOLUTION AUTHORIZING ST. MARY'S HOLY NAME SOCIETY A SPECIAL EVENTS PERMIT FOR A PARISH FAMILY PICNIC TO BE HELD ON SEPTEMBER 8, 2024

WHEREAS, St. Mary's Holy Name Society, located at 30 Jackson Street, South River New Jersey, has applied for a Special Events Permit for a Parish Family Picnic to be held at 30 Jackson Street, South River on Sunday, September 8, 2024, from 12:00 p.m. to 6:00 p.m.; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of South River that the application of St. Mary's Holy Name Society for a Parish Family Picnic to be held at 30 Jackson Street, South River on Sunday, September 8, 2024 from 12:00 p.m. to 6:00 p.m. is hereby approved contingent upon the following:

1. Alcoholic beverages can only be served from 12:00 p.m. until 6:00 p.m. during the Parish Family Picnic.

2. There must be at least five (5) identifiable non-drinking members either by tag, badge, shirt, etc. assigned by the organization to provide security.
3. A one-day permit for an Annual Picnic, if necessary, will be obtained by ABC.
4. Proof of Liability Insurance provided to the Borough of South River.
5. Said event must follow all the rules, regulations of State, County, and Local Government.
6. Subject to approval by the South River Police Department and compliance with any condition included in their approval.
7. No parking in the area of the entrance and driveway of the picnic area from front to back.
8. Entrance gate to the picnic area is to remain unlocked from the start time to the finish time.
9. All agency approvals such as Code Compliance, Police, County Board of Health and Fire Marshal. Fire Marshal to be contacted by the applicant.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-255
**RESOLUTION AUTHORIZING THE APPOINTMENT OF JOANNE CALVO TO THE POSITION OF PART-TIME
ADMINISTRATIVE ASSISTANT**

I, Peter S. Guindi, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint Joanne Calvo to the position of Part-Time Administrative Assistant at a rate of \$20.00/per hour effective August 6, 2024.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-256
RESOLUTION AWARDING A CONTRACT TO CME ASSOCIATES FOR PROFESSIONAL SERVICES RELATED TO
2024 IMPROVEMENTS TO VARIOUS ROADWAYS

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex and State of New Jersey that CME Associates is authorized to perform professional engineering services related to 2024 Improvements to Various Roadways, as outlined in the Borough Engineer's letter dated April 11, 2024, at a cost not to exceed \$103,313.00; and

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Borough has certified the availability of funds in account C-06-24-026-203.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenz</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-257
RESOLUTION AWARDING A CONTRACT TO B&W CONSTRUCTION FOR EXTENSION OF WATER MAINS

WHEREAS, the Borough of South River duly advertised for the receipt of bids for 2024 Public Works Function and Utility Maintenance; and

WHEREAS, the bid submitted by B&W Construction Co. of NJ, Inc. is the lowest responsible bid in accordance with the bid specifications; and

WHEREAS, it is the desire of the governing body to award a contract for the extension of water mains on Montgomery Street and Morningside Avenue to B&W Construction Co. of NJ, Inc. for an estimated amount of \$240,000.00

WHEREAS, the Chief Financial Officer has certified the availability of funds in account W-07-23-021-101.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of South River, County of Middlesex, State of New Jersey as follows that the above is hereby accepted.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-258

RESOLUTION AUTHORIZING PURCHASE OF TURNOUT GEAR FROM SKYLAND AREA FIRE EQUIPMENT & TRAINING LLC VIA STATE CONTRACT #17-FLEET-00833 IN THE AMOUNT OF \$54,953.60 FOR THE BOROUGH OF SOUTH RIVER FIRE DEPARTMENT

WHEREAS, there exists a need to purchase Turnout Gear for the Borough of South River Fire Department in the County of Middlesex of the State of New Jersey; and

WHEREAS, there exists a State Contract with a registered vendor known as Skylands Area Fire Equipment & Training LLC, under vendor contract #17-FLEET-00833 through which contract municipalities are authorized by law to acquire same without meeting the requirements of the public bidding laws of the State of New Jersey; and

WHEREAS, it is the governing body's desire to purchase Turnout Gear from Skylands Area Fire Equipment & Training LLC via the said State Contract authorized vendor in the amount of \$54,953.60; and

WHEREAS, the Chief Financial Officer of the Borough has advised that funds are available for the purchase of turnout gear in Account 4-01-41-814-201; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River, in the County of Middlesex and the State of New Jersey that the appropriate officials are hereby authorized to execute the appropriate documents in order to acquire the Turnout Gear from the above referenced vendor.

BE IT FURTHER RESOLVED that said resolution is now of record and on file in the Office of the Borough Clerk and available for public inspection.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			

Councilman Ciulla	X				X	
Councilman DeSantis			X			
Councilman Dziemian			X			
Councilman Gurchensky			X			
Council President Krenzel		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-259

RESOLUTION APPOINTING CONTINUITY OPERATIONS GROUP AS A PROFESSIONAL CONSULTANT TO PROVIDE CONSULTANT SERVICES FOR THE OFFICE OF EMERGENCY MANAGEMENT AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CONTINUITY OPERATIONS GROUP

WHEREAS, there exists a need for a Professional Consultant for the Borough of South River to provide Consulting Services for the Office of Emergency Management; and

WHEREAS, Continuity Operations Group has the ability and expertise to perform the services; and

WHEREAS, the governing body desires to appoint Continuity Operations Group, LLC as a professional consultant and authorize the execution of a professional service contract for update of Borough Emergency Operations Plan.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of South River, County of Middlesex, State of New Jersey, as follows:

1. That the governing body does hereby appoint Continuity Operations Group, LLC as a professional consultant to provide Consulting Services for the Borough of South River Office of Emergency Management; and
2. That the Mayor and Borough Clerk are authorized to execute and attest to, respectively, an agreement with Continuity Operations Group, LLC in an amount of \$6,000.00.
3. That the contract and resolution will be made available in the Clerk's office during normal business hours for public inspection
4. That notice of this action shall be printed once in the official newspaper of the Borough of South River.
3. A certified copy of this resolution shall be forwarded to the Chief Financial Officer, Business Administrator and Continuity Operations Group, LLC.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Balazs			X			
Councilman Ciulla	X		X			
Councilman DeSantis			X			
Councilman Dziemian			X			

<i>Councilman Gurchensky</i>			X			
<i>Council President Krenz</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-260

RESOLUTION AUTHORIZING APPOINTMENT OF MELISSA GEARDINO AS PART-TIME CLERICAL TO THE OFFICE ON AGING

I, Peter S. Guindi, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint Melissa Geardino to the part-time position of Clerical to the Office on Aging at a rate of \$25.00/per hour effective August 8, 2024.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenz</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-261

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE SALE OF REAL ESTATE FOR REDEVELOPMENT PURPOSES

WHEREAS, pursuant to Resolution 2016-144, adopted on March 28, 2016, the Borough of South River designated a portion of the Borough, including Area Sub-151, consisting of Block 151, all lots including Lots 1, 2, 2.01, 3, 4, 4.01, 5, 6, 6.01, and 7 on the Official Tax Map of the Borough of South River as an area in need of redevelopment pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

WHEREAS, Hamilton Street Development, LLC is the owner of property located within Sub-151 and the Borough desires to sell property located at Block 151, Lot 2.01 to be consolidated with the adjacent property currently owned by the Buyer; and

WHEREAS, the Local Land and Buildings Law, N.J.S.A. 40A:12-13 permits the sale of real property by private sale to a developer when acting in accordance with the Local Redevelopment and Housing Law; and

WHEREAS, the Borough Council finds it to be in the best interest of the Borough to authorize the execution of a Hamilton Street Development, LLC, conditioned on the adoption of an ordinance by the Borough Council authorizing the purchase of real property under N.J.S.A. 40A:12-13.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of South River, in the County of Middlesex, and State of New Jersey as follows:

1. That pursuant to the provisions of N.J.S.A. 40A:12-13 et seq, the governing body wishes to authorize execution of a contract for the sale by the Borough of Block 151, Lot 2.01 to Hamilton Street Development, LLC in the amount of \$10,000.00.

2. That the Mayor is authorized to execute and Borough Clerk to attest to a contract for the sale of the above-described purchase of lands, setting forth the rights and obligations of the parties in a form acceptable to the Borough Attorney, conditioned on the adoption of an ordinance authorizing the purchase pursuant to the requirements of the Local Land and Buildings Law.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-262

RESOLUTION AUTHORIZING THE EXECUTION OF REDEVELOPMENT AGREEMENT WITH BROTHERS BUILDERS PJ, LLC

WHEREAS, pursuant to Resolution 2016-144, adopted on March 28, 2016, the Borough of South River designated a portion of the Borough, including Area Sub-150, consisting of Block 150, including Lots 1, 1.01, 2.01, 4, 4.01, 4.03, 5, 6, 6.01, 6.01, and 7 on the Official Tax Map of the Borough of South River as an area in need of redevelopment pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

WHEREAS, Brothers Builders PJ, LLC is the owner of property located within Sub-150 designated as Block 150, Lots 1, 1.01, 2.01, 4.01, 4.03, 5, 6, and 6.02 (the "Project Area") and was designated as a Conditional Redeveloper of the project area; and

WHEREAS, the Borough Council desires to designate Brothers Builders PJ, LLC as the Redeveloper for the Project Area and authorize the execution of a Redevelopment Agreement, attached hereto as Schedule A.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of South River, in the County of Middlesex, and State of New Jersey as follows:

1. That Brothers Builders PJ, LLC is hereby designated as the Redeveloper for property located at Block 150, Lots 1, 1.01, 2.01, 4.01, 4.03, 5, 6, and 6.02.

2. That the Mayor is authorized to execute and Borough Clerk to attest to the Redevelopment Agreement, attached hereto as Schedule A.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-263
RESOLUTION AUTHORIZING CERTAIN UTILITY REFUNDS

WHEREAS, the official utility records of the Borough of South River, New Jersey show certain refunds which include electric, water and consumer deposits (CD); and

WHEREAS, the Collector of Utility Revenue recommends that the following refunds should be made to the consumer noted herein below listed; and

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of South River that the Collector of Utility Revenue is hereby authorized to make the following refunds and adjustments indicated below and any attached list.

<u>ACCOUNT #</u>	<u>PAYABLE TO:</u>	<u>AMOUNT OF CHECK</u>
65-999-006-007 CD	VALERIA CARASCO 289 MAIN ST APT 2 GLADSTONE, NJ 07934	\$63.98

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65-999-006-869 CD	ALEX CERDEIRA 76 DIVISION ST APT 16 SOUTH RIVER, NJ 08882	\$64.18
65-999-006-694 CD	EVAN TSIONI, CHRISTIAN COURTNEY	\$76.05
66-999-002-894 WATER CURRENT	ORION CRANDALL 203 DARWIN LN NORTH BRUNSWICK, NJ 08902	\$329.68
65-999-005-285 CD	MARIA DACUNHA	\$142.52
65-999-005-285 ELEC CURRENT	116 C JOHNSON PL SOUTH RIVER, NJ 08882	\$22.54
65-999-007-405 CD	HANNAH DAVENPORT 375 NORTH DRIVE APT E08 NORTH PLAINFIELD, NJ 07060	\$4.51
65-999-008-607 CD	EDISON A.C. GUINANZACA GERMAN F.Z. ORTIZ, LUIS F.Z. ORTIZ ROSA E.C. GUINANZACA, ANA R.B. MENDIETA 142 WHITEHEAD AVE APT A SOUTH RIVER, NJ 08882	\$92.34
65-999-988-450 CD	TERESA OPOLSKI PO BOX 233 SOUTH RIVER, NJ 08882	\$81.51
65-999-009-035 CD	REFORM CHURCH OF HIGHLAND PARK 19 S 2 ND AVE HIGHLAND PARK, NJ 08904	\$32.42
65-999-974-733 CD	JAMES WAHLER 38 GARY CT SPOTSWOOD, NJ 08884	\$162.57

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk

August 5th, 2024 Council Special Meeting Minutes- APPROVED 9/9/24

Borough of South River

**RESOLUTION 2024-264
RESOLUTION AMENDING COUNCIL LIAISON APPOINTMENTS**

WHEREAS, Resolution 2024-195 was amended on May 13, 2024; and

WHEREAS, the governing body wishes to amend the Council Liaison assignments adopted in Resolution 2024-195.

NOW, THEREFORE, we, the Members of the Council of the Borough of South River, do hereby amend Resolution 2024-195 Council Liaisons of the Borough Council for the year 2024 pursuant to the following:

BOARD OF EDUCATION

Clm. Hank Dziemian

BUDGET COMMITTEE

Clm. John Krenzel, Chair
Clm. Tony Ciulla
Clm. Hank Dziemian

CABLE TELEVISION ADVISORY BOARD/TV-35

Clm. John Krenzel

CULTURAL ARTS AND HERITAGE COMMISSION

Clw. Donna Balazs

ECONOMIC DEVELOPMENT AND PLANNING/ ECONOMIC DEVELOPMENT COMMISSION

Clm. Tony Ciulla

ENVIRONMENTAL COMMISSION/SHADE TREE/GREEN TEAM

Clm. Hank Dziemian

FACILITIES MANAGEMENT, PUBLIC WORKS & UTILITIES

Clm. Tony Ciulla

FINANCE & ADMINISTRATION

Clm. John Krenzel

HOUSING AND COMMUNITY DEVELOPMENT

Clm. Matt DeSantis

HUMAN SERVICES

- Mayor's Advisory Committee of Persons with Disabilities
- Board of Health
- Human Relations Commission

Clw. Donna Balazs

LIBRARY BOARD OF TRUSTEES

Clw. Donna Balazs

MAYOR'S ADVISORY COUNCIL OF AGING

CIm. James Gurchensky

MUNICIPAL ALLIANCE

CIm. John Krenzel

PUBLIC SAFETY COMMITTEE

CIm. James Gurchensky, Chair
Clw. Donna Balazs
CIm. Hank Dziemian

RECREATION ADVISORY BOARD

CIm. Hank Dziemian

COMMITTEE ON UTILITIES

CIm. Tony Ciulla, Chair
CIm. John Krenzel
CIm. James Gurchensky

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-265
RESOLUTION AUTHORIZING CONTRACT AWARD FOR THE VARIOUS ROADWAY IMPROVEMENTS AND
VARIOUS PARK IMPROVEMENTS TO JADS CONSTRUCTION CO. IN THE AMOUNT OF \$2,036,847.22

WHEREAS, the governing body of the Borough of South River in the County of Middlesex, State of New Jersey, had previously authorized and directed the Borough Clerk to advertise for receipt of sealed bids for Various Roadway Improvements and Various Park Improvements in accordance with specifications approved and filed in the Office of the Borough Clerk; and

WHEREAS, said bids were received on July 25, 2024 and opened and read aloud in public and an examination thereof shows that JADS Construction Company of South River, NJ was the apparent low bidder thereon with a bid of \$2,036,847.22; and

WHEREAS, the Borough Attorney has noted that the bid of the apparent low bidder contained no material departures from the bidding documents; and

WHEREAS, the award of this contract be and is hereby subject to the approval of the New Jersey Department of Transportation; and

WHEREAS, the Chief Financial Officer of the Borough has certified the availability of funds in accounts C-06-08-025-112, C-06-08-025-211, C-06-22-015-102, C-06-22-037-101, C-06-23-016-101, C-06-23-020-104, C-06-24-002-101, C-06-44-901-212, W-07-23-021-101, P-21-14-025-101, and 4-01-44-901-213.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the governing body of the Borough of South River in the County of Middlesex, the State of New Jersey, that the above recited bid be and the same is hereby accepted and the appropriate officials are authorized to sign a contract with JADS Construction Company of South River, NJ, when all required bid documents are received.

BE IT FURTHER RESOLVED that the appropriate officers of the Borough be and they are hereby authorized and directed to execute all instruments necessary to complete the above stated transaction.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-266
RESOLUTION ACCEPTING THE BOROUGH OF SOUTH RIVER COUNCIL MEETING MINUTES

BE IT RESOLVED by the Mayor and Council of the Borough of South River that the July 8th, 2024, Regular and Executive Session Meeting Minutes are approved.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>					X	
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>					X	
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-267
RESOLUTION APPROVING THE BILLS AND CLAIMS LIST

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex and the State of New Jersey that all bills, claims and statements against the Borough, in the total amount of \$3,621,552.45 and previously paid claims in the amount of \$1,161,988.51 listing attached, have been duly itemized, audited, approved and signed by the proper officers of the Borough, be and the same are hereby ordered paid.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

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RESOLUTION 2024-268

RESOLUTION AUTHORIZING AN APPOINTMENT IN THE OFFICE ON AGING DEPARTMENT

I, Peter S. Guindi, Mayor, with the advice and consent of the Council of the Borough of South River, do hereby appoint the following person listed below to the position in the Office on Aging Department:

Yoga Instructor to be paid at the rate of \$45.00 per class effective September 3, 2024:

Kristin Reisinger

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenz</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-269

RESOLUTION OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING THE REQUISITION OF FUNDS FOR PAYMENT TO THE CUSTODIAN OF THE SCHOOL MONIES

WHEREAS, pursuant to the applicable Statutes of the State of New Jersey, the Local School District is required to requisition funds for Operating Expense and Debt Service Expense from the Borough; and

WHEREAS, a requisition dated August 1, 2024 has been received from the Local School District for the following amount:

CURRENT OPERATING EXPENSE:	\$1,522,545.00
RESTORED FUNDS:	0.00
DEBT SERVICE EXPENSE:	<u>\$0.00</u>
TOTAL	\$1,522,545.00

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Borough Council of the Borough of South River that the Chief Financial Officer is hereby authorized and directed to draw the above stated amount from the proper accounts and pay to the Custodian of the School Monies the amount so drawn pursuant to the applicable Statutes of the

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State of New Jersey by September 6, 2024.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-270
RESOLUTION AWARDING A CONTRACT TO CME ASSOCIATES FOR PROFESSIONAL SERVICES RELATED TO
IMPROVEMENTS TO GREKOSKI PARK – INCLUSIVE PLAYGROUND

BE IT AND IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of South River, in the County of Middlesex and State of New Jersey that CME Associates is authorized to perform professional engineering services to prepare a Preliminary Assessment Report (PAR) related to Improvements to Grekoski Park Inclusive Playground, as outlined in the Borough Engineer's letter dated November 29, 2023, at a cost not to exceed \$7,500.00; and

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Borough has certified the availability of funds in account 4-01-41-817-201.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

RESOLUTION 2024-271
RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH
RUTGERS UNIVERSITY POLICE DEPARTMENT

WHEREAS, the RUPD is a state law enforcement agency operated by Rutgers, The State University of New Jersey, which is a public research university of higher education; and

WHEREAS, the RUPD operates as a full-service police agency with statewide authority under N.J.S.A. 18A:6-4.2 to 4.11 inclusive and provides a full array of law enforcement services at Rutgers, including, but not limited to, game day public safety and emergency contingency planning; and

WHEREAS, SRPD is the principal law-enforcement agency of the Borough of South River, Middlesex County, New Jersey; and

WHEREAS, The RUPD has requested assistance of the SRPD on game days for public safety at various athletic events.; and

WHEREAS, the governing body desires to authorize an agreement with RUPD to establish the terms by which the RUPD will reimburse the SRPD for the requested law enforcement services.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of South River as follows:

1. That the governing body does hereby authorize the execution of an agreement with Rutgers University Police Department for law enforcement services requested for game day public safety.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, an agreement with Rutgers University Police Department in a form acceptable to the Borough Attorney.
3. A certified copy of this Resolution shall be provided to the Chief Finance Officer, Chief of Police and Rutgers University Police Department.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenz</i>		X	X			

I do hereby certify that the foregoing is a true and exact copy of authorization to approve the foregoing resolution adopted by the Mayor and Borough Council of South River on August 5, 2024

Alyssa Hager, RMC
Municipal Clerk
Borough of South River

**Councilman Ciulla abstained from voting on resolution 2024-258 and on purchase orders 24-02184, 24-02187, 24-02185, 24-02186, 24-02188, and 24-01321.

**Councilwoman Balaza abstained from voting on resolution 2024-266.

**Councilman DeSantis abstained from voting on resolutions 2024-266 and 2024-267.

GOVERNING BODY COMMENTS (For the Good and Welfare of the Borough)

Councilman DeSantis

- No comment

Council President Krenzel

- Welcome Matt!
- 8/6 is National Night Out.
- 8/16 is the Recreation Fireworks.
- 9/11 is quickly approaching.
- Be careful with Hurricane Debbie approaching.
- Happy Labor Day.
- The next council meeting will be 9/9.

Councilwoman Balazs

- Welcome Matt!
- National Night Out is on 8/6.
- 8/16 is the Recreation Fireworks.

Councilman Ciulla

- Welcome Matt!
- 8/6 is National Night Out.
- 8/16 is the Recreation Fireworks.
- Happy Labor Day.

Councilman Gurchensky

- Thank you to all public safety officers.
- Bulk scheduling will be available online.
- Congrats to Melissa on her appointment to the OOA.

Councilman Dziemian

- Thank you to the Police department and DPW.
- Welcome Matt!
- 8/6 is National Night Out. Hopefully the weather will cooperate.

Mayor Guindi

- Welcome Matt!
- Recognizes the Mayor in Englishtown.
- Thanks the Middlesex County Fire Marshals office.
- Speaks on speed humps.
- Thank you to the Girl Scouts for their work on the community garden.
- 8/16 is the fireworks and luau show.
- Speaks on a vacant property that will be redeveloped.

ADJOURNMENT

Being no further business; Mayor Guindi requested motion to adjourn. Councilman Dziemian motioned to adjourn; seconded by Councilman Ciulla. All in favor. Meeting adjourned at 8:36 pm.

Respectfully submitted,

Alyssa Hager

Alyssa Hager, RMC
Borough Clerk